

MISSOURI PUBLIC SERVICE COMMISSION

MINUTES OF AGENDA MEETING

Tuesday, September 28, 2004

**9:30 a.m.**

PSC Agenda Room, Governor Office Building, Suite 900

Present: Steve Gaw (SG) P, Connie Murray (CM) A, Robert Clayton (RC) P,  
Jeff Davis (JD) P (via phone), Linward "Lin" Appling (LA) P, and Staff

<b>S G</b>	<b>C M</b>	<b>R C</b>	<b>J D</b>	<b>L A</b>
Y	Y	Y	Y	Y
Y	Y	Y	Y	Y
Y	Y	Y	Y	Y
Y	Y	Y	Y	Y
X	Y	Y	Y	Y
Y	Y	Y	Y	Y
Y	Y	Y	Y	Y
Y	N	Y	Y	Y
Y	N	Y	N	Y

Approval of Minutes of Last Agenda Meeting

***--As submitted for Thursday September 23, 2004.***

New Orders and Tariffs

1. SM-2004-0275 Cedar Hill Utility Company, Inc. – Order Approving Unanimous Stipulation and Agreement and Granting Missouri-American Water Company a Certificate of Convenience and Necessity – *Woodruff*

***--As submitted.***

2. TC-2004-0239 EZ Talk Communications, L.L.C. – Order Dismissing Complaint and Closing Case – *Woodruff*

***--As submitted.***

3. WA-2004-0581 Emerald Pointe Utility Company – Order Approving Application for Certificate of Convenience and Necessity – *Woodruff*

***--Discussed and withdrawn.***

4. AX2002145xxx Proposed Rulemaking – *Woodruff*

***--Discussed and withdrawn***

5. ZO-2005-0047 Heartland Health System, Inc. – Order Expanding Shared Tenant Services Certificate – *Pridgin*

***--As amended.***

6. GR-2004-0209 Missouri Gas Energy – Order Granting Staff's Request for Clarification – *Woodruff*

***--As amended.***

7. MC-2005-0028 America's Homes Broker's, Inc. – Order to Show Cause – *Mills*

***--As submitted.***

8. SC-2004-0341 S.T. Ventures, LLC – Order Closing Case – *Ruth*

***--Withdrawn.***

9. GT-2005-0069 ProLiance Energy, L.L.C. – Order Regarding Tariff – *Mills*

***--As amended to Order Suspending Tariff.***

10. TC-2004-0347 WWC License LLC – Notice of Correction and Order Denying Motion for Rehearing and Reconsideration – *Ruth*

***--As submitted.***

11. GC-2003-0579 Michael E McKinzy, Sr. – Order Denying Motion for Rehearing – *Ruth*

***--As submitted.***

12. EO-2004-0108 AmerenUE – Report and Order – *Thompson*

***--Discussed.***

### Case Discussion

1. GR2002348xxx Missouri Gas Energy – Motion to Strike and Procedure for Remaining Issues – *Dippell*  
**--Discussed.**
2. IO-2002-1083 ALLTEL Missouri, Inc. – Case Discussion – *Mills*  
**--Discussed.**
3. EW-2004-0596 Kansas City Power & Light Company – Briefing for status conference – *Mills*  
**--Discussed.**
4. TC-2004-0340 Econo-Call, Inc. – Failure to File 2002 Annual Report – *Ruth*  
**--Discussed.**

### Other Discussion

1. Various Commission Scheduling Matters  
**--Discussed.**
2. Legislation  
**--Not Discussed.**
3. Budget  
**--Not Discussed.**
4. Personnel  
**--Not Discussed.**
5. Litigation  
**--Not Discussed.**
6. Other – Proposed New Rule 4 CSR 240-3.040; approval for Staff to file Motion for Finding of Necessity for Rulemaking – *Johansen, Schallenberg*  
**--Discussed.**
7. Other – Federal Investigation update  
**--Not Discussed.**
8. Other – 4 CSR 240-33.045 – Billing Standards for Residential & Business Customers; provide feedback to Staff on how to proceed with language to be used for fiscal impact analysis – *Dietrich, VanEschen, Posten*  
**--Discussed. Directed Staff to send to DED.**
9. Other – Federal USF Certification Letters; discussion/direction on what companies to include in certification letters to the FCC & USAC – *Dietrich, Henderson, Winter*  
**--Discussed. Voted to send certification letters for CenturyTel and Spectra.**
10. Other - Proposed amendments to all utilities' Annual Report Submission Rules; Approval to move forward with rulemaking process, including determination of whether to seek “informal” industry input before proceeding – *Henderson, Fischer, Meyer*  
**--Discussed.**

S	C	R	J	L
G	M	C	D	A
Y	Y	Y	Y	Y

11. Other – Comments on FCC’s Notice of Proposed Rulemaking for review of it’s rules regarding pricing unbundled network elements in response to U.S. Telecom Ass’n. v. FCC, approval to submit comments to FCC  
– *Dietrich, Williams*

**--Discussed.**

---

Chairman

---

Date Approved

P = Present

A = Absent

Y = Yea

N = Nay

X = Not Participating